

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Weiss et al.

Art Unit: 1792

Application No: 10/573,254

Examiner: E. T. Lightfoot

Confirmation No: 9421

Filed: March 23, 2006

Atty. Docket No: 58086-229105

For: HYBRID SYNTHESIS OF CORE/SHELL
NANOCRYSTALS

Customer No:

26694
PATENT TRADEMARK OFFICE

**RESPONSE TO RESTRICTION REQUIREMENT
AND ELECTION OF SPECIES REQUIREMENT**

MS Amendment

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the restriction requirement set forth in the Office Action mailed May 14, 2009, Applicant hereby provisionally elects, with traverse, claims 22-35 directed to a composition of matter for continued examination.

In response to the election of species requirement, applicant hereby provisionally elects, with traverse, the species covered by claim 33 (CdTe) and the species of capping agent corresponding to (iii), a mixture of CdS and ZnS.

As noted by the Examiner, upon the allowance of a generic claim, Applicant will be entitled to consideration of claims to a reasonable number of species in addition to the elected species, as provided by 37 CFR 1.146.

A first Action on the merits of the claims and a Notice of Allowance thereof are respectfully requested.

The Commissioner is authorized to charge any fee required by this filing or credit any overpayment to Deposit Account No. 22-0261.

Dated: September 14, 2009

Respectfully submitted,

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